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DATE MAILED: 10/06/92

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☐ This application has been examined ☒ Responsive to communication filed on 7-20-92 ☒ This action is made final.

A shortened statutory period for response to this action is set to expire three month(s), ——— days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. ☐ Notice of References Cited by Examiner, PTO-892.
2. ☐ Notice re Patent Drawing, PTO-948.
3. ☐ Notice of Art Cited by Applicant, PTO-1449.
4. ☐ Notice of Informal Patent Application, Form PTO-152.
5. ☐ Information on How to Effect Drawing Changes, PTO-1474.
6. ☐ _____

Part II SUMMARY OF ACTION

1. ☒ Claims 1-4, 6-11, and 13 are pending in the application.

   Of the above, claims _____ are withdrawn from consideration.

2. ☐ Claims _____ have been cancelled.

3. ☐ Claims _____ are allowed.

4. ☒ Claims 1-4, 6-11, and 13 are rejected.

5. ☐ Claims _____ are objected to.

6. ☐ Claims _____ are subject to restriction or election requirement.

7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8. ☐ Formal drawings are required in response to this Office action.

9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable. ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).

10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____ has (have) been ☐ approved by the examiner. ☐ disapproved by the examiner (see explanation).

11. ☐ The proposed drawing correction, filed on _____, has been ☐ approved. ☐ disapproved (see explanation).

12. ☐ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____

13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14. ☐ Other

EXAMINER'S ACTION

1. The drawings are objected to under 37 C.F.R. § 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the associating tags means as recited in claims 1 and 7. The processing means as recited in claims 1 and 7. The associating positions means as recited in claims 1 and 7. The means for accessing the frames of video data as recited in claims 2, 6, and 8 must be shown or the feature cancelled from the claim. No new matter should be entered.

2. The drawings must how "the storage means coupled to the associating tags means, the associating tags means coupled to the processing means, the processing means coupled to the associating positions means, and the accessing the frames of video data means coupled with the position selecting means and associating positions means as recited in claims 1, 2, 6, and 7.

3. The following is a quotation of the first paragraph of 35 U.S.C. § 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

The specification is objected to under 35 U.S.C. § 112, first paragraph, as failing to provide an adequate written description of the invention. The applicant has failed to disclose the exact "means for associating tags with frames of

video data..." as recited in claims 1 and 7. How is the "associating means" coupled to the storage means since the drawings do not show the "associating tags means" as specified in the claims. What exactly is the "associating positions means", and how is this "associating positions means" coupled to the "processing means" since the drawings do not show the "associating positions means" as specified in the claims. What exactly is the "means for accessing the frames of video data", and how is this "means for accessing the frames of video data" coupled with the "position selecting means" and "means for associating positions" since the drawings do not show the "means for accessing the frames of video data". Claims 1, 2, 6, 7, and 8 are vague, indefinite, and confusing since the drawings do not show the claimed features in which applicant regards as the invention.

4. Claims 1-4, 6, and 7-10 are rejected under 35 U.S.C. § 112, first paragraph, for the reasons set forth in the objection to the specification.

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1, 2, 7, 8, and 9 are rejected under 35 U.S.C.

§ 102(b) as being anticipated by Naimark et al (4,857,902).

As per claims 1 and 7, as best understood, Naimark discloses (FIGS. 1, 2 and 5) an apparatus for assembling content addressable video which comprises a storage means (51) (frame buffer), an associating tags means (FIG. 1) (the data space), a processing means (50) (computer), and means for associating positions (the data space table) (Col. 8, lines 44-63).

As per claims 2 and 8, Naimark discloses (fig. 5) means for selecting a position (53) (trackball), and means (50) (computer) for accessing the frames of video data in the storage means (51) (frame buffer).

As per claim 9, Naimark further discloses (FIGS. 1-2) the subset of the plurality of frames (N14, N15, N8, N9) is the subset of frame (N4).

7. Claims 3, 6, 10, and 13 are rejected under 35 U.S.C. § 102(e) as being anticipated by Morgan (4,992,866).

As per claims 3 and 10, Morgan (FIGS. 1 and 2) means (30) (touch screen) for generating a content video image representative, an organization of content addressable video, control means (20) (32) (processor) (video switcher) for generating control signals (col. 3, lines 49-58), controllable means (80) (34) (remote cameras and controllers) for generating frames of video data (col. 3, lines 34-58), and the processor means (20) for associating frames of video data generated by the

controllable means.

Morgan further discloses (FIG. 2) a storage means (processor), coupled to the controllable means (80) (34), for storing frames of video data generated by controllable means (col. 3, lines 42-48), and means (20) (processor) coupled to the controllable means (80) (34) and control means (32) (20), for associating the address of each frame of video data with a position in the content video image (col. 3, lines 34-58).

As per claims 6 and 13, Morgan discloses (Figs. 1 and 2) means for selecting a position in the content video image (20) (44), and means (20) (processor) for accessing the frames of video data in the storage means in response to selected positions (col. 2, line 63 to col. 3, line 19).

8. The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

> A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
>
> Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

9. Claims 4 and 11 are rejected under 35 U.S.C. § 103 as being unpatentable over Morgan in view of International Conference on Advanced Robotics (85 ICAR) Toshiba Corporation (Sept. 13, 1985).

Claim 4 and 11 are considered rejected as set forth above, regarding to claims 3 and 10, with the exception of robot mounted video camera.

However, Toshiba Corporation discloses (FIG. 4) a robot mounted video camera which is controlled by the computer input device (tablet). It would have been obvious to incorporate the robot mounted video camera of Toshiba Corporation into the camera selection and positioning system of Morgan since this is well-known in the art.

10. Applicant's arguments filed July 20, 1992 have been fully considered but they are not deemed to be persuasive.

Object to the Drawings

The drawings must show every feature of the invention as specified in the claims, and how are the "associating tags means", the "processing means", the "associating positions means", and the "accessing the frames of video data means" connected together since the drawings do not show the claimed features in which applicant regards as the invention (see the objection to the drawings as set forth above).

Object to the specification under 35 U.S.C. § 112 first paragraph.

The applicant has failed to teach how the "associating tags means", the "processing means", the "associating positions means", and the "accessing video frames means" are connected and interacted with each other as specified in the claims. Instead, applicants pick and choose from various pages in the specification and argues that the "associating tags means", the "processing means", the "associating positions means", and the "accessing video frames means" are simply a computer (100) as shown in figure 1, and all of the processing of the "associating tags means", the "processing means", the "associating positions means", and the "accessing video frames means" are well-known to be done by one single computer (100). Since applicants assert it is well-known that the computer (100) can process all of the above steps, it is obvious that all of the computers in the prior art can process all of the above steps since it is well-known in the art, as taught by the applicants. Furthermore, the question is not what is clear or definite to applicant, but what is clear or definite to one of ordinary skill in the art.

Rejection of claims 1, 2, 7, 8 and 9:

Naimark reference does discloses "processing means, coupled to the means for associating, for assembling a content video image in response to the tags, ..." (see the rejections as set forth above). Furthermore, all of the processing, associating, assembling a content video image in response to the tags, is done

by the computer since it is well-known in the art as taught by the applicants.

Rejection of claims 3, 5, 6, 10 and 12:

Morgan was used to read on the limitations of claims 3, 5, 6, 10 and 12 as the examiner best understood since some questions still remained unsolved in the 35 U.S.C. § 112, first paragraph.

As per claim 3, Morgan does disclose the storage means (processor) and the "means for associating" (processor) (see the rejections as set forth above).

As per claim 10, see the rejection as set forth above.

Applicant argues that "the Morgan reference is concerned with controlling surveillance cameras and not generating a data base of addressable stored video images as claimed in the present application". However, the Morgan's controlling surveillance cameras may work differently to the applicant's device, but is broadly reads on the claims.

As per claims 4 and 11, see the rebuttal to the applicant's arguments with regards to the Morgan reference as set forth above.

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION

IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

12. Any inquiry concerning this communication should be directed to Matthew Luu at telephone number (703) 305-4850.

M. Luu:tlr
September 29, 1992

ULYSSES WELDON
PRIMARY EXAMINER
GROUP 260